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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,859	06/30/1999	THOMAS RUBAN	GR-98-P-2862	8410

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EXAMINER
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JAGANNATHAN, MELANIE

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/343,859

Applicant(s)

RUBAN ET AL.

Examiner

Melanie Jagannathan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 12, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Focsaneanu U.S. Patent Number 5,610,910.

Referring to claims 1-4, Focsaneanu discloses a method of routing in a network including receiving a data packet by a network node in a network. See Figure 8. Regarding claims 1 and 2, the method disclosed also comprises a step of extracting information content from the data packet (first piece of information), which is sent to the database (element 248, Figure 8) in order to determine appropriate routing to communication networks (determining a route for packet through the network by determining at least one further network node through which route passes). See column 4, lines 40-49 and column 8, lines 19-34. The second piece of information is anticipated by one of address conversion, protocol conversion and other routing related information.

Referring to claims 3 and 4, it is disclosed that from the first piece of information at least one detail of a desired transmission can be determined. In particular, the detail can be pertaining to the user, a destination address, a service provider, a quality, costs or a security level. This is anticipated in Focsaneanu by the database (element 248, Figure 8) comprising a customer profile, address conversion table, protocol conversion table, routing table and service provider

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profile. In particular, a determination of the destination address by the routing table, a determination of the user by the customer profile and a service provider. The method disclosed by Focsaneanu includes composing the source address and destination address by way of the address conversion table shown in Figure 8 as element 248.

Regarding claim 12, the method disclosed in claim 1 accesses a further network having a plurality of access points using only one of the plurality of access points at a time which is anticipated by PSTN in Figure 7, element 212. The destination address of the further network is determined at the controller in accordance with the information in the database.

Referring to claim 21, the network disclosed in claim 1 includes at least one of a communication network and a data network. See Figure 7, PSTN (element 212) and data network (element 214).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

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the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 5-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foscaneanu in view of Dobbins U.S. Patent Number 6,147,995.

Regarding claims 5 and 6, Foscaneanu discloses all the limitations of the claims except a step in the method of claim 1 comprising sending a data packet to a specific entity in the network and processing the data packet at the specific entity if the destination address contained in the data packet is incorrect (claim 5) or unknown (claim 6). Dobbins discloses a method including a connection database to send any unknown connections to a host agent. See Figure 3, element 85. Also see Figure 4-A, column 5, lines 8-28. The look-up engine (element 83, Figure 3), once a packet arrives, checks to see if the source address and destination address is located in the connection database (element 82 in Figure 3 and step 305 in Figure 4-A). If they are not found, the packet is given to a host agent (step 308 in Figure 4-A). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include in a packet routing method, the step of sending unknown packets to a specific entity such as a host agent. One of ordinary skill in the art would have been motivated to do this since this allows for the packet to be decoded to find the network protocol source and destination addresses so the information would not be lost. See column 5, lines 18-24.

Referring to claims 7-11, Foscaneanu discloses all the limitations of the claims except for a step in the method of claim 1 comprising passing a response data packet from the destination address to a source address. Foscaneanu does not disclose a network address translation

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involving forwarding where a source address is changed in the data packet with the network node on its way from the source address to destination address, reversing the step of changing the source address with the network node, and entering a corrected source address with the network node. Dobbins discloses a method involving a call processor forming a reply packet (response packet) by putting the destination MAC address received into the source address field of packet and sending this packet as a reply to the source node. See Figure 3, call processor (element 89). Also see Figure 4-B, step 314 and step 317. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to send a response packet back and having the source address as destination address. One of ordinary skill in the art would be motivated to do this because this allows for a check of reliability of the system. It allows for the determination of the arrival of a packet at its intended destination.

6. Claims 13, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foscareanu in view of Liao U.S Patent Number 6,292,833.

Regarding claim 13, Foscareanu discloses all the limitations of the claim except for a method including providing an information service as the destination address, the information service being accessible by a user only the user is registered, and providing further information services accessible to the user at one time. Liao discloses a method involving verification of user registration and giving access to local services once it is verified. See Figure 4B. Request for verification of user registration is shown in step 422 and verification is executed in step 424. Step 418 shows subsequent access to local services once a user is authorized. At the time this invention was made, it would have been obvious to a person of ordinary skill in the art to verify the authorization of a user before allowing access to services. One of ordinary skill in the art

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would be motivated to do this in order to have adequate security before allowing access to information services. See column 7, lines 41-43.

Regarding claims 15-17, Foscaneanu discloses all the limitations of the claims except for a method involving details of usage authorization of services (claim 15), denying an unauthorized user a use of a service by sending a data packet of the unauthorized user to a specific entity, generating a error message sent to the unauthorized user, and providing authorization for a user for services for which the user is not registered (claims 16 and 17). Liao discloses a method involving comparing the service identity of a message with the authorized service identities in the access control table. See column 9, lines 62-67 and column 10, lines 26. Also see Figure 4B. If there is not a match, then the authorization center verifies the service identity of the message. If the authorization center does not verify the service identity, it is denied access (error message) to local services (element 426). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to deny an unauthorized user access to services provided in the network and to generate an error message to the user. One of ordinary skill in the art would be motivated to do this as this ensures the local services are protected from unauthorized access and prevents unauthorized users from passing themselves off as having an authorized service identity.

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fascaneanu. Fascaneanu does not disclose a method involving providing an authorization for a user for using services provided in the network for which the user is not registered, sending a data packet to a specific entity in the network and generating an error message with the specific entity.

Therefore, examiner takes official notice of the concept and the advantage of allowing an unregistered user to register to access the services provided. Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to provide authorization for an unregistered user to use certain services provided in the network. One of ordinary skill in the art would be motivated to do this since this still provides limited access to users despite the users not being registered members.

8. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foscareanu in view of Christie U.S. Patent Number 5,991,301. Foscareanu discloses all the limitations of the claims except for charging a user and a service provider based on one of the following: time, volume, number of accesses, services used, type of data packets or transmission quality. Christie discloses a method involving a processing of packets. See Figure 1 and column 4, lines 36-40. A signal processing system (element 100) would process the message and the processing includes network management, route selection, translating and billing. At the time the invention was made, it would have been obvious to a person skilled in the art to charge the user or service provider based on the criterion listed above. One of ordinary skill in the art would be motivated to do so in order to keep a record of user information and charge accordingly.

9. Claims 22-25 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foscareanu in view of Strentzsch U.S. Patent Number 6,256,671. Regarding 22-25 and 30, Foscareanu discloses an apparatus including a processor for receiving, processing and passing on data packets. See Figure 7. Storage connected to processor are disclosed for storing user information and administrative information. See Figure 8, element 234 and element 248.



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Fascaneanu discloses a router and a controller for determining the route of packets on the basis of information stored. See column 5, lines 2-12. A server is accessible to the storage and an interface is connected to the storage for modifying supplemental information. See Figure 7. Fascaneanu does not disclose a mapper to determine mapping of logic computer names on network addresses and vice versa. Strentzsch discloses a DNS proxy server that maps network addresses. See Figure 3. The DNS proxy server (element 260) includes DNS control logic (305), access management logic (310), and access management database (315). The server also includes address identification logic (320) and address database (325). At the time the invention was made, it would be obvious to one skilled in the art to include a DNS proxy server as a mapper. One of ordinary skill in the art would be motivated to do this since it maintains record of sites to which the user is restricted from accessing or are accessible to the user. See column 7, lines 18-25.

10. Claims 14, 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fascaneanu in view of Lang U.S. Patent Number 6,188,683. Fascaneanu disclose all the limitations of the claims except for encryption of the data packet (claim 14) and a helpdesk for offering help to the user upon occurrence of an error during an access to one of the network services (claims 26-29). Regarding claim 14, Lang discloses an encryption of the data packet. See column 4, lines 33-36. At the time the invention was made, it would be obvious to one skilled in the art to encrypt a data packet. One of ordinary skill in the art would be motivated to do this since allows for greater security during transmission of packet. Regarding claims 26-29, Lang discloses an animated interface for processing call requests. See Figure 6A and 6B. The interface assists when the user is having problems with the call setup. See column 11, lines 12-

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42. The interface communicates through HTTP and the HTTPS protocols. See column 11, lines 46-48. At the time the invention was made, it would be obvious to one skilled in the art to include a helpdesk in the event of an error occurring. One of ordinary skill in the art would be motivated to do this since it allows the user to be helped and given alternative solutions when an error has occurred.

### *Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Allard U.S. Patent Number 5,729,689 discloses a network naming services proxy agent.

Husak U.S. Patent Number 5,828,665 discloses an apparatus and method for selecting improved routing paths in an emulated LAN over an ATM network.

Diepstraten U.S. Patent Number 5,339,316 discloses a wireless local area network system.

Deo et al. U.S. Patent Number 6,393,481 discloses a method and apparatus for providing real-time call processing services in an intelligent network.

Laursen et al. U.S. Patent Number 6,292,657 discloses a method and architecture for managing a fleet of mobile stations over wireless data networks.

Sitaraman et al. U.S. Patent Number 6,430,619 discloses a virtual private data network session count limitation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melanie Jagannathan whose telephone number is 703-305-8078. The examiner can normally be reached on Monday-Friday from 8:00 a.m.-4:30 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 703-308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MJ *MJ*  
September 27, 2002

*Seema S. Rao*  
Seema S. Rao  
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AU 2661  
September 27, 2002